

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re

Chapter 9

CITY OF DETROIT, MICHIGAN,

Case No. 13-53846

Debtor.

Judge Thomas J. Tucker

**CITY OF DETROIT’S RESPONSE TO MOTION TO REINSTATE/FILE
LATE CLAIM IN THE CITY OF DETROIT BANKRUPTCY CASE**

The City of Detroit (“City”) objects (“Response”) to *Motion to Reinstate/File Late Claim in the City of Detroit Bankruptcy Case* [Doc. No. 13014] (“Motion”) filed by Darrell Marshall (“Marshall”) for the following reasons:

INTRODUCTION

Marshall’s motion should be denied because he presents no valid legal of factual reason for reinstating a claim that was expunged nearly five years ago or allowing him to file a late claim. Indeed, this Court has previously described one of Marshall’s filings on this claim as “incomprehensible and frivolous.” *See* Doc. No. 5239. The United States District Court for the Eastern District of Michigan also restrained Marshall from further lawsuits on this claim as it found in November, 2000, that “plaintiff’s claims are frivolous” and that “[t]his court must protect its jurisdiction from vexatious litigants abusing the judicial process.” *See U.S. District Court Order*, Ex. 1. It further certified that any appeal by Marshall “would

be frivolous, not in good faith, and therefore...may not be taken in forma pauperis.” *Id.* Over the last eighteen years, Marshall has filed numerous motions, appeals and other pleadings related to his alleged claim. Ex. 3. In 2013, the Sixth Circuit Court of Appeals entered an order denying one of his motions for leave to proceed in form pauperis because “this appeal would clearly be frivolous.” Ex. 2. The Motion should similarly be denied.

BACKGROUND

On January 15, 2014, Marshall filed claim number 550 (“Claim”). The Claim asserts damages in the amount of \$500,000,000 arising from two lawsuits (Case Nos. 88-72503 and 00-74576) (together, the “Lawsuits”). In those Lawsuits, Marshall sued the City, among other parties, in the United States District Court for the Eastern District of Michigan (“District Court”). The docket for the case number 00-747576 is attached as exhibit 3. The Lawsuits arose out of an alleged incident that occurred in 1984, whereby Marshall allegedly was assaulted by City police officers. Each of the Lawsuits has been finally determined in the City's favor. *See, e.g., Marshall v. City of Detroit*, Case No. 11-2324 (6th Cir. May 1, 2012) (order affirming District Court's denial of motion to vacate order dismissing Case No. 88-72503 for want of prosecution); *Marshall v. City of Detroit*, Case No. 13-1755 (6th Cir. Nov. 27, 2013) (order dismissing appeal of District Court's order

denying Claimant's motion to reinstate Case No. 00-74576). *See e.g. Order of Sixth Circuit Court*, dated November 27, 2013, Ex. 4.¹

Indeed, the District Court in Case No. 00-74576 entered an order dismissing the case and enjoining Marshall from filing further lawsuits without leave of the court, stating that, “This court must protect its jurisdiction from vexatious litigants abusing the judicial process.” *See U.S. District Court Order*, Ex. 1. The District Court also certified “that any appeal from this decision would be frivolous, not in good faith, and, therefore, pursuant to 28 U.S.C. § 1915(a)(3), may not be taken in forma pauperis.” Ex. 1. Nevertheless, over the last eighteen years, Marshall has filed numerous motions, appeals and other legal actions related to his alleged Claim. Ex. 3, Docket in Case No. 00-74576. In 2013, the Sixth Circuit Court of Appeals entered an order denying one of his motions for leave to proceed in form pauperis because “this appeal would clearly be frivolous.” Ex. 2, *Order of the Sixth Circuit Court Appeals*, dated October 21, 2013.

On May 15, 2014, the City filed an objection to the Claim. [Doc. No. 4846] (“Claim Objection”).

¹ On December 2, 2013, Marshall filed his Motion for Revocation of Automatic Stay (“Stay Motion”). The Stay Motion sought to revoke the automatic stay of proceedings in the City’s bankruptcy case as related to U.S. District Court Case No. 00-74576. The City objected to the stay motion on December 16, 2013. [Doc. No. 2157]. On December 19, 2013, the Court entered an order denying the stay motion. [Doc. No. 2249]. As set forth on the docket attached as Exhibit 3, Marshall has continued to appeal this claim but each such time the appeal has been resolved in favor of the City.

In response the Claim Objection, Marshall filed the *Response to Debtor's Objection to Claimant's Claim and Motion for a Temporary Injunction to Stop the Sale of All City and State Property (Residential and Commercial) in Detroit and Wayne County Based on the Fact that the Sales' Procedure is Discriminatory Against Claimant Based on Mental and Physical Disabilities Race and Sex and a Conspiracy Against Claimant*. [Doc. No. 5236]. This Court entered an order finding that the response was "incomprehensible and frivolous" and denying the claimant any relief. [Doc. No. 5239]. On June 24, 2014, this Court entered an order granting the objection to the Claim and expunging the Claim [Doc. No. 5548].

ARGUMENT

Marshall does not provide any legal basis to reinstate the Claim or to file a late claim. Indeed, Marshall has not addressed any of the excusable neglect factors nor would he satisfy any of them. In evaluating whether to excuse neglect, a court will consider: (1) whether granting the delay will prejudice the debtor; (2) the length of the delay and its impact on efficient court administration; (3) whether the delay was beyond the reasonable control of the person whose duty it was to perform; (4) whether the creditor acted in good faith; and (5) whether clients should be penalized for their counsel's mistake or neglect. *Pioneer Inv. Servs. Co. v. Brunswick Assocs. Ltd. P'ship*, 507 U.S. 380, 386 (1993). Here, Marshall has

not acted in good faith as three different Courts have characterized his pleadings or efforts in regard to the Claim as “frivolous.” Further, Marshall alleges no facts to even suggest that his nearly five year delay was beyond his reasonable control. The length of the delay here is extensive and the City would be prejudiced by potentially having to spend additional time and efforts locating individuals familiar with an alleged incident that occurred in 1984. Consequently, the City respectfully requests that the Court deny the Motion.

CONCLUSION

For these reasons, the City respectfully asks the Court to deny Marshall’s Motion and further, to prohibit him from making any further frivolous filings in this case, in the manner this Court should deem just and proper.

Respectfully submitted,

MILLER, CANFIELD, PADDOCK AND
STONE, P.L.C.

By: /s/ Marc N. Swanson

Marc N. Swanson (P71149)
150 West Jefferson, Suite 2500
Detroit, Michigan 48226
Telephone: (313) 496-7591
Facsimile: (313) 496-8451
swansonm@millercanfield.com

DATED: March 20, 2019

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re

Chapter 9

CITY OF DETROIT, MICHIGAN,

Case No. 13-53846

Debtor.

Judge Thomas J. Tucker

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 20, 2019, he filed the *City of Detroit's Response to Motion to Reinstate/File Late Claim in the City of Detroit Bankruptcy Case* ("Response") using the court's CM/ECF system which provided notice of the filing to all registered participants in this matter. The undersigned further certifies that on the same day, a copy of the Response was served on the following individuals via first class mail.

Darrell Lamar Marshall
15794 Steel Street
Detroit, MI 48227

By: /s/ Marc N. Swanson
Marc N. Swanson (P71149)
150 West Jefferson, Suite 2500
Detroit, Michigan 48226
Telephone: (313) 496-7591
Facsimile: (313) 496-8451
swansonm@millercanfield.com

DATED: March 20, 2019

EXHIBIT 1

U.S. District Court Order

ORIGINAL**CLOSED**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DARRELL L. MARSHALL,

Plaintiff,

vs.

Case No. 00-CV-74576
HON. GEORGE CARAM STEEH

CITY OF DETROIT, and
WAYNE COUNTY,

Defendants.

FILED
2000 NOV 21 P 2:18
U.S. DIST. COURT CLERK
EAST DIST. MICHIGAN
DETROIT

ORDER GRANTING PLAINTIFF IN FORMA PAUPERIS
STATUS AND DISMISSING CASE PURSUANT TO
28 U.S.C. § 1915(e)(2)(B)(i) AND ENJOINING PLAINTIFF
FROM FILING FURTHER LAWSUITS WITHOUT LEAVE OF COURT

Plaintiff Darrell L. Marshall, proceeding pro se, has filed suit against the City of Detroit and Wayne County. Based upon the information in the Application to Proceed in Forma Pauperis, the court grants plaintiff in forma pauperis status pursuant to 28 U.S.C. § 1915. For the reasons that follow, however, the court dismisses plaintiff's complaint as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

Plaintiff has filed a number of cases in the United States District Court for the Eastern District of Michigan based upon an incident which occurred in 1984, whereby plaintiff was allegedly assaulted by City of Detroit police officers and hospitalized at Detroit Receiving Hospital as a result of his injuries. Plaintiff was diagnosed by the hospital as paranoid schizophrenic and committed to Northville State Hospital on a court order. Plaintiff contends that prior to the assault, he was receiving mental health treatment for a variety of disorders, and was receiving Social Security Supplemental Income based on an anxiety disorder. In his current lawsuit, plaintiff maintains that because the Wayne County Probate Court knew of his pre-existing psychological diagnosis, it was aware that Detroit Receiving Hospital and the City of Detroit had committed acts of fraud to cover-up the head injury plaintiff received by the Detroit

Police. Plaintiff does not allege sufficient facts to make out any legally cognizable action over which this court might have jurisdiction. The court, therefore, finds that plaintiff's claims are frivolous because they lack an arguable basis in law or fact. It is hereby ORDERED that plaintiff's complaint is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

Previous lawsuits have been brought by plaintiff against Michigan Rehabilitation Services, the United States Government, the City of Detroit, Detroit Receiving Hospital, the individual police officers, the Wayne County Probate Court, among others.¹ Each of the lawsuits relate to the same underlying incident. This court must protect its jurisdiction from vexatious litigants abusing the judicial process. See, In re Martin-Trigona, 737 F.2d 1254, 1261 (2d Cir. 1984). The Sixth Circuit has specifically approved a district court's power to limit the filing of lawsuits by vexatious litigants. See, Filipas v. Lemans, 835 F.2d 1145 (6th Cir. 1987). The court upheld a district court's order requiring the plaintiffs to receive leave of complaint from the court prior to filing any further lawsuits. Id. at 1146.

To prevent Mr. Marshall from further abusing the legal process, Mr. Marshall is hereby PRECLUDED AND RESTRAINED from filing any new actions in the United States District Court for the Eastern District of Michigan without initially obtaining leave of this court. This required action is hereby DEEMED a condition precedent to the commencement of any further civil action by him.

To obtain leave, Mr. Marshall MUST initially comply with all of the following requirements:

1. He must file a "Motion Pursuant to Court Order Seeking Leave to File" with

¹See, e.g., Case Nos. 88-72503 (J. Hackett); 99-76129 (J. Cohn); 00-60069 (J. Steeh); 00-71283 (J. Hood).

any proposed complaint;

2. As an exhibit to that motion, he must attach a declaration prepared pursuant to 28 U.S.C. § 1746 or a sworn affidavit certifying that the claim he wishes to present is a new issue which has never been raised by him in court;

3. By means of a second exhibit, he must identify and list the full caption of each and every suit which has been previously filed by him or on his behalf in any court against each and every defendant in the suit that he wishes to file;

4. As a third exhibit, he must provide a copy of each such complaint and a certified record of its disposition. He must serve a copy of this order on each defendant if and when leave to serve is granted.

5. As a fourth exhibit, he must append this order.

Failure to comply with these terms may itself be grounds for denying any motion for leave to file a complaint. Compliance with these terms does not, of itself, constitute grounds for granting leave to file a complaint.

Based on the preceding order, this court certifies that any appeal from this decision would be frivolous, not in good faith and, therefore, pursuant to 28 U.S.C. § 1915(a)(3), may not be taken in forma pauperis.

So ordered.

Dated: **21 NOV 2000**
Detroit, Michigan.



GEORGE CARAM STEEH
United States District Judge

EXHIBIT 2

Order of Sixth Circuit Court Dated October 21, 2013

No. 13-1755

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

DARRELL L. MARSHALL,

Plaintiff-Appellant,

V.

CITY OF DETROIT; COUNTY OF WAYNE,

Defendants-Appellees.

[illegible]

O R D E R

FILED

Oct 21, 2013

DEBORAH S. HUNT, Clerk

Darrell L. Marshall appeals pro se from a district court order that denied his motion to reinstate a previously dismissed action that he had filed under 42 U.S.C. § 1983. The district court has denied him permission to proceed in forma pauperis on appeal. Marshall now moves the court pursuant to Federal Rule of Appellate Procedure 24(a)(5) to grant him permission to proceed in forma pauperis on appeal.

We will grant the motion if we are persuaded that the appeal is being taken in good faith.
See Coppedge v. United States, 369 U.S. 438, 445 (1962).

Upon review, the motion for leave to proceed in forma pauperis is hereby denied because this appeal would clearly be frivolous. *See Neitzke v. Williams*, 490 U.S. 319, 325 (1989). Marshall is directed to pay the \$455 appellate filing fee in full to the Clerk of the United States District Court for the Eastern District of Michigan within thirty days of the filing date of this order, or else this appeal will be dismissed for lack of prosecution.

ENTERED BY ORDER OF THE COURT

Rich L. Hunt

Clerk

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt
Clerk

100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000
www.ca6.uscourts.gov

Filed: October 21, 2013

Darrell L. Marshall
20001 Schaefer Highway
Detroit, MI 48235

Re: Case No. 13-1755, *Darrell Marshall v. City of Detroit, et al*
Originating Case No. : 2:00-cv-74576

Dear Mr. Marshall,

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Roy G. Ford
Case Manager
Direct Dial No. 513-564-7016

cc: Mr. James M. Surowiec
Mr. Aaron C. Thomas
Mr. David J. Weaver

Enclosure

EXHIBIT 3

District Court Docket

CLOSED,APPEAL,IFP

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:00-cv-74576-GCS**

Marshall v. Detroit City **Enjoined Filer-Review**
Assigned to: District Judge George Caram Steeh
Demand: \$500,000

Date Filed: 11/21/2000
Date Terminated: 11/21/2000
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Case in other court: U.S. Supreme Court, 06-10832
U.S. Court of Appeals - Sixth Circuit,
11-01921
U.S. Court of Appeals - Sixth Circuit,
13-01755
U.S. Court of Appeals - Sixth Circuit,
17-01183

Cause: No cause code entered

Plaintiff

Darrell L. Marshall

represented by **Darrell L. Marshall**
15794 Steel Street
Detroit, MI 48227
248-991-2728
PRO SE

V.

Defendant

Detroit, City of
Detroit, City of

Defendant

Wayne, County of

represented by **Azzam E. Elder**
Elder Brinkman Law
1360 Porter Street
Suite 200
Dearborn, MI 48124
313-879-0355
Fax: 313-202-9548
Email: azzam@elderbrinkmanlaw.com
TERMINATED: 02/09/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ellen E. Mason
Wayne County Corporation Counsel

600 Randolph
 Second Floor
 Detroit, MI 48226-2831
 313-224-5030
TERMINATED: 02/09/2006
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James M. Surowiec
 Wayne County Corporation Counsel
 500 Griswold
 30th Floor
 Detroit, MI 48226
 313-224-6682
 Email: jsurowiec@co.wayne.mi.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Aaron C. Thomas
 Macomb County Corporation Counsel
 1 South Main Street
 8th Floor
 Mt. Clemens, MI 48043
 586.469.6346
 Email: aaron.thomas@macombgov.org
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/13/2000	1	APPLICATION by plaintiff Darrell L. Marshall to waive prepayment of the filing fee (pd) (Entered: 11/21/2000)
10/25/2000	2	ORDER reassigning case from Judge Nancy G. Edmunds to Judge George C. Steeh - Reason: companion case to 88-72503 (ew) (Entered: 11/21/2000)
11/08/2000	<u>3</u>	MOTION by plaintiff for recusal with proof of mailing (ew) (Entered: 11/21/2000)
11/20/2000	8	INTERLOCUTORY appeal by plaintiff Darrell L. Marshall of order dismissing case [6-1] to USCA - FEE: not paid (do) (Entered: 11/27/2000)
11/21/2000	<u>4</u>	MOTION by plaintiff for diversity of citizenship (ew) (Entered: 11/21/2000)
11/21/2000	<u>5</u>	COMPLAINT (ew) (Entered: 11/21/2000)
11/21/2000	<u>6</u>	ORDER by Judge George C. Steeh granting application to waive prepayment of the filing fee by Darrell L. Marshall [1-1], dismissing case and enjoining plaintiff from filing further lawsuits without leave of court [EOD Date 11/21/00] (ew) (Entered: 11/21/2000)
11/22/2000	7	

		ORDER by Judge George C. Steeh denying motion for recusal by Darrell L. Marshall [3-1] with proof of mailing [EOD Date 11/27/00] (dh) (Entered: 11/27/2000)
11/27/2000	9	PROOF of mailing of notice of appeal to USCA and Darrell Marshall (do) (Entered: 11/27/2000)
11/27/2000	10	CERTIFIED copy of appeal by Darrell L. Marshall [8-1] and docket transmitted to USCA (do) (Entered: 11/27/2000)
11/27/2000	11	MEMORANDUM by plaintiff Darrell L. Marshall in support of appeal [8-1] (dh) (Entered: 11/28/2000)
11/27/2000	12	MEMORANDUM by plaintiff Darrell L. Marshall in support of motion for recusal [3-1] (dh) (Entered: 11/28/2000)
11/30/2000	13	ORDER by Judge George C. Steeh denying memorandum in support by Darrell L. Marshall [12-1] (court construed this memorandum as a motion for reconsideration) with proof of mailing[EOD Date 12/1/00] (dh) (Entered: 12/01/2000)
12/15/2000	14	ACKNOWLEDGEMENT from USCA of receipt of appeal notice of appeal & docket [10-1] - appeal case # 00-2442 (ew) (Entered: 12/20/2000)
02/15/2001	15	NON-CERTIFIED copy of order from USCA dismissing case #00-2442 [0-0] (dh) (Entered: 02/16/2001)
03/07/2001	16	MANDATE from USCA dismissing interlocutory appeal by Darrell L. Marshall [8-1] - appeal case # 00-2442 (lh) (Entered: 03/08/2001)
08/01/2001	17	MOTION by plaintiff Darrell L. Marshall to reinstate case based on newly discovered evidence with attachments (DT) (Entered: 08/01/2001)
09/13/2001	18	ORDER by Judge George C. Steeh denying motion to reinstate case based on newly discovered evidence by Darrell L. Marshall [17-1] [EOD Date 9/17/01], with proof of mailing. (PP) (Entered: 09/17/2001)
09/17/2001	19	APPEAL by plaintiff Darrell L. Marshall of order [18-1] to USCA - FEE: not paid (do) (Entered: 09/20/2001)
09/20/2001	20	PROOF of mailing of notice of appeal to USCA and Darrell Marshall (do) (Entered: 09/20/2001)
09/20/2001	21	CERTIFIED copy of appeal notice by Darrell L. Marshall [19-1] and docket transmitted to USCA (do) (Entered: 09/20/2001)
09/28/2001	22	RECORD of appeal notice by Darrell L. Marshall [19-1] consisting of: 1 volume(s) of pleadings 0 transcript(s) 0 deposition(s) transmitted to USCA (RH) (Entered: 09/28/2001)
10/01/2001	23	APPLICATION by plaintiff Darrell L. Marshall to appeal in forma pauperis with affidavit in support (do) (Entered: 10/02/2001)
10/04/2001	24	ACKNOWLEDGMENT from USCA of receipt of appeal notice by Darrell L. Marshall [19-1] - appeal case # 01-2289 (lh) (Entered: 10/05/2001)

10/09/2001	26	ORDER by Judge George C. Steeh, to waive prepayment of appeal filing fee [EOD Date 10/18/01] (RH) (Entered: 10/18/2001)
10/11/2001	25	ACKNOWLEDGMENT from USCA of receipt of appeal record [22-1] - appeal case # 01-2289 (DT) (Entered: 10/15/2001)
05/29/2002	27	NON-CERTIFIED copy of order from USCA affirming the decision of the District Court - appeal case # 01-2289 (PP) (Entered: 05/30/2002)
10/16/2002	28	MANDATE from USCA affirming the decision of the District Court - appeal case # 01-2289 (ew) (Entered: 10/16/2002)
10/21/2002	29	RECORD of appeal record [22-1] returned from USCA - appeal case # 01-2289 (dh) (Entered: 10/22/2002)
06/09/2003	30	MOTION by Darrell L. Marshall to reinstate case with proof of service (kb) (Entered: 06/11/2003)
06/19/2003	31	ORDER by Judge George C. Steeh denying motion to reinstate case by Darrell L. Marshall [30-1] [EOD Date 6/20/03], with proof of service. (PP) (Entered: 06/20/2003)
12/15/2003	32	MOTION by plaintiff for leave to file new civil rights complaint and for injunctive relief with exhibits A-G, and proof of service. (PP) (Entered: 12/15/2003)
01/15/2004	33	ORDER denying 32 Motion for Leave to File new complaint and for injunctive relief. Signed by Judge George Caram Steeh. (DHame,) (Entered: 01/29/2004)
01/28/2004	34	MOTION for Recusal by Darrell L. Marshall. (DHame,) (Entered: 02/06/2004)
02/02/2004	35	ORDER denying 34 Motion for Recusal. . Signed by Judge George Caram Steeh. (DHame,) (Entered: 02/07/2004)
02/13/2004	36	ANSWER to 32 Motion for Leave to File filed by Wayne County. (Attachments: # 1 Exhibit A-B)(DHame,) (Entered: 02/25/2004)
03/11/2004	37	MOTION For Leave To File New Civil Rights Complaint by Darrell L. Marshall with Exhibits A - D. (JBro,) (Entered: 03/23/2004)
04/02/2004	38	MOTION for Medical Examination by Darrell L. Marshall. (KGeha,) (Entered: 04/19/2004)
04/16/2004	39	ORDER denying 37 Motion leave to file new complaint, denying 38 Motion for medical examination and denying petition for judicial review. Signed by Judge George Caram Steeh. (CMul,) (Entered: 04/22/2004)
10/07/2004	40	APPLICATION FOR APPOINTMENT OF COUNSEL by Darrell L. Marshall. (RHutc,) (Entered: 10/12/2004)
10/07/2004	41	MOTION to Appoint Counsel by Darrell L. Marshall. (RHutc,) (Entered: 10/12/2004)
10/14/2004	42	ORDER denying 41 Motion to Appoint Counsel - Signed by Honorable George Caram Steeh. (LHack,) (Entered: 10/15/2004)

08/02/2005	43	MOTION for Recusal and Reinstate Instant Case by Darrell L. Marshall. (JJoh,) (Entered: 08/03/2005)
09/01/2005	44	ORDER denying 43 Motion to reinstate, denying 43 Motion for Recusal. - Signed by Honorable George Caram Steeh. (MBea,) (Entered: 09/01/2005)
09/02/2005	45	NOTICE OF INTERLOCUTORY APPEAL as to 44 Order by Darrell L. Marshall. Fee Status: No Fee Paid. (LBeh,) (Entered: 09/09/2005)
09/09/2005	46	Certificate of Service re 45 Notice of Interlocutory Appeal. (LBeh,) (Entered: 09/09/2005)
09/13/2005	47	Mail Returned as Undeliverable. Mail sent to Darrell L. Marshal re 44 Order on Motion for Reinstate and Order on Motion for Recusal (LHack,) (Entered: 09/15/2005)
10/11/2005	48	MOTION for Process Service on City of Detroit by Darrell L. Marshall. (LHack,) (Entered: 10/12/2005)
10/11/2005	49	EMERGENCY MOTION to Supplement the Record by Darrell L. Marshall. (Attachments: # 1 Document Continuation)(LHack,) (Entered: 10/12/2005)
11/02/2005	50	ORDER denying 48 Motion for process service on the City of Detroit; denying 49 Motion to supplement the record.- Signed by Honorable George Caram Steeh. (MBea,) (Entered: 11/02/2005)
12/27/2005	51	MOTION for mental and physical examinations purusant to FRCP Rule 35 (A) by Darrell L. Marshall. (DPer,) (Entered: 12/28/2005)
01/03/2006	52	ORDER denying 51 Motion for mental and physical examinations- Signed by Honorable George Caram Steeh. (MBea,) (Entered: 01/03/2006)
01/20/2006	53	(STRICKEN 1/24/06) ADDENDUM to 49 MOTION to Supplement the Record by Darrell L. Marshall.(JJoh,) Modified on 1/24/2006 (LHack,). (Entered: 01/23/2006)
01/24/2006	54	ORDER to Strike 53 Addendum filed by Darrell L. Marshall,. Signed by Honorable George Caram Steeh. (LHack,) (Entered: 01/24/2006)
02/09/2006	55	ATTORNEY SUBSTITUTION for Wayne County: James M. Surowiec added. Attorney Azzam E. Elder and Ellen E. Mason terminated. <i>Certificate of Service</i> .(Surowiec, James) (Entered: 02/09/2006)
02/27/2006	56	ATTORNEY APPEARANCE: James M. Surowiec appearing on behalf of Wayne County.(Surowiec, James) (Entered: 02/27/2006)
06/05/2006	57	(NOT CERTIFIED) ORDER from USCA re 45 Notice of interlocutory appeal filed by Darrell L. Marshall; defendant's motions are denied and District Court's order affirmed. [Appeal Case Number 05-2232] (DPer,) (Entered: 06/05/2006)
09/21/2006	58	MANDATE of USCA as to 45 Notice of Interlocutory Appeal filed by Darrell L. Marshall, [Appeal Case Number 05-2232] (KGeha,) (Entered: 09/21/2006)
03/29/2007	59	ORDER from USCA [Appeal Case Number 07-1173] (DEld) (Entered: 03/30/2007)

05/03/2007	60	LETTER from US Supreme Court - The Petition for Writ of Certiorari was filed on 4/17/07 and placed on the docket 4/25/07 as 06-10832 [Appeal Case Number 06-10832] (AGre) (Entered: 05/09/2007)
07/13/2007	61	LETTER from Supreme Court of United States - Denying Petition for Writ of Mandamus [Appeal Case Number 07-1173] [Supreme Court Case Number 06-10832 (JCre) (Entered: 07/16/2007)
09/13/2007	62	ORDER from U.S. Supreme Court re 45 Notice of Interlocutory Appeal filed by Darrell L. Marshall [Appeal Case Number 06-10832] (PPau) (Entered: 09/14/2007)
03/19/2008	63	MOTION to Vacate Judgment by Darrell L. Marshall. (RHut) (Entered: 03/20/2008)
03/24/2008	64	ORDER denying 63 Motion to Vacate Judgment. Signed by Honorable George Caram Steeh. (MBea) (Entered: 03/24/2008)
04/01/2008	65	MOTION for Reconsideration re 63 MOTION to Vacate by Darrell L. Marshall. (KGeh) (Entered: 04/07/2008)
04/08/2008	66	ORDER denying 65 Motion for Reconsideration. Signed by District Judge George Caram Steeh. (MBea) (Entered: 04/08/2008)
06/14/2011	67	MOTION to Vacate Judgment by Darrell L. Marshall. (KCas) (Entered: 06/14/2011)
06/21/2011	68	NOTICE of Change of Address/Contact Information by Darrell L. Marshall. (KCas) (Entered: 06/22/2011)
07/06/2011	69	MOTION to Expedite Ruling on Motion to Vacate Judgment by Darrell L. Marshall. (KCas) (Entered: 07/07/2011)
07/18/2011	70	ORDER denying 67 MOTION to Vacate Judgment filed by Darrell L. Marshall. Motions terminated: 67 69 . Signed by District Judge George Caram Steeh (MBea) (Entered: 07/18/2011)
07/21/2011	71	NOTICE OF APPEAL by Darrell L. Marshall re 70 Order, Terminate Motions. Fee Status: No Fee Paid. (KCas) (Entered: 07/22/2011)
07/22/2011	72	Certificate of Service re 71 Notice of Appeal. (KCas) (Entered: 07/22/2011)
08/03/2011	73	NOTICE of Appearance by Aaron C. Thomas on behalf of Wayne, County of. (Thomas, Aaron) (Entered: 08/03/2011)
07/24/2012	74	ORDER from U.S. Court of Appeals - Sixth Circuit re 71 Notice of Appeal filed by Darrell L. Marshall - Disposition: proceed ifp [4440656-2] filed by Darrell L. Marshall. Marshall is advised that this appeal will be dismissed for lack of prosecution, if the required filing fees of four hundred and fifty-five dollars (\$455.00) are not paid to the Clerk of the United States District Court for the Eastern District of Michigan within thirty days of the filing date of this order. [Appeal Case Number 11-1921] (KKra) (Entered: 07/25/2012)
08/24/2012	75	

		ORDER from U.S. Court of Appeals - Sixth Circuit re 71 Notice of Appeal filed by Darrell L. Marshall - Disposition: Case is dismissed for want of prosecution [Appeal Case Number 11-1921] (KKra) (Entered: 08/24/2012)
03/29/2013	76	MOTION to Reinstate Civil Rights Complaint by Darrell L. Marshall. (KKra) (Entered: 04/01/2013)
03/29/2013	77	NOTICE of Change of Address/Contact Information by Darrell L. Marshall. (KKra) (Entered: 04/01/2013)
04/15/2013	78	MOTION to supplement re 76 MOTION to Reinstate Civil Rights Complaint and removal of related cases from State Court by Darrell L. Marshall. (DWor) (Entered: 04/15/2013)
05/23/2013	79	ORDER denying plaintiff's Motions to reinstate case 76 78 Signed by District Judge George Caram Steeh. (MBea) (Entered: 05/23/2013)
05/23/2013	80	ORDER denying plaintiff's motion for leave to file complaint. Signed by District Judge George Caram Steeh (MBea) (Entered: 05/23/2013)
05/31/2013	81	NOTICE OF APPEAL of an order that was entered on 5/23/13 by Darrell L. Marshall. Fee Status: No Fee Paid. (DWor) (Entered: 06/03/2013)
06/03/2013	82	Certificate of Service re 81 Notice of Appeal. (DWor) (Entered: 06/03/2013)
06/12/2013	83	APPLICATION [Entitled Motion] to Proceed without prepaying fees or costs on Appeal by Darrell L. Marshall. (DWor) (Entered: 06/12/2013)
06/28/2013	84	ORDER Denying 83 Application to Proceed to proceed on appeal in forma pauperis filed by Darrell L. Marshall Signed by District Judge George Caram Steeh. (MBea) (Entered: 06/28/2013)
10/21/2013	85	ORDER from U.S. Court of Appeals - Sixth Circuit re 81 Notice of Appeal filed by Darrell L. Marshall [Appeal Case Number 13-1755] (KKra) (Entered: 10/21/2013)
11/27/2013	86	ORDER from U.S. Court of Appeals - Sixth Circuit re 81 Notice of Appeal filed by Darrell L. Marshall [Appeal Case Number 13-1755] (KKra) (Entered: 11/27/2013)
02/10/2014	87	ORDER from U.S. Court of Appeals - Sixth Circuit re 81 Notice of Appeal filed by Darrell L. Marshall [Appeal Case Number 13-1755] (KKra) (Entered: 02/14/2014)
04/29/2016	88	MOTION for immediate consideration of motion for stay of judgment enjoining Plaintiff from filing any new civil rights complaints without obtaining leave of the court by Darrell L. Marshall. (LHos) (Entered: 04/29/2016)
06/09/2016	89	ORDER denying 88 Motion for stay of judgment. Signed by District Judge George Caram Steeh. (MBea) (Entered: 06/09/2016)
12/19/2016	90	NOTICE of Change of Address/Contact Information by Darrell L. Marshall. (DPer) (Entered: 12/20/2016)
12/19/2016	91	

		MOTION for immediate consideration of FRCP, Rule 60(b) Motion to vacate judgment by Darrell L. Marshall. (DPer) (Entered: 12/20/2016)
01/03/2017	92	SUPPLEMENTAL CERTIFICATE OF SERVICE by Darrell L. Marshall. (Ahmed, N) (Entered: 01/03/2017)
01/17/2017	93	MOTION to Supplement re 91 MOTION by Darrell L. Marshall. (BGar) (Entered: 01/18/2017)
02/08/2017	94	ORDER denying 91 Motion to Vacate Judgment and granting 93 Motion to supplement. Signed by District Judge George Caram Steeh. (MBea) (Entered: 02/08/2017)
02/13/2017	95	NOTICE OF APPEAL by Darrell L. Marshall re 94 Order on Motion - Free,. Fee Status: No Fee Paid. (Ahmed, N) (Entered: 02/16/2017)
02/16/2017	96	Certificate of Service re 95 Notice of Appeal. (Ahmed, N) (Entered: 02/16/2017)
03/15/2017	97	APPLICATION to Proceed without prepaying fees or costs on Appeal by Darrell L. Marshall. (LHos) (Entered: 03/16/2017)
03/31/2017		Appeal Fee received for 95 Notice of Appeal filed by Darrell L. Marshall in the amount of \$ 505.00 - Receipt No. DET102456. (Huff, W.) (Entered: 03/31/2017)
08/10/2017	98	ORDER from U.S. Court of Appeals - Sixth Circuit re 95 Notice of Appeal filed by Darrell L. Marshall [Appeal Case Number 17-1183] (Ahmed, N) (Entered: 08/10/2017)
09/05/2017	99	MANDATE from U.S. Court of Appeals - Sixth Circuit as to 95 Notice of Appeal filed by Darrell L. Marshall, 98 Appeal Order/Opinion/Judgment [Appeal Case Number 17-1183] (Ahmed, N) (Entered: 09/05/2017)
09/08/2017	100	LETTER from the US Supreme Court that a petition for writ of certiorari was filed on 8/23/2017. [Supreme Court Case Number: 17-5797] [Court of Appeals Case Number: 17-1183] (Ahmed, N) (Entered: 09/08/2017)
11/07/2017	101	LETTER from the US Supreme Court denying the petition for writ of certiorari [Supreme Court Case Number: 17-5797] [Court of Appeals Case Number: 17-1183] (Krause, S) (Entered: 11/07/2017)
01/03/2018	102	MOTION to Transfer and Consolidate for Pretrial Proceedings by Darrell L. Marshall. (NAhm) (Entered: 01/04/2018)
04/17/2018	103	ORDER denying 102 Motion to Transfer Case. Signed by District Judge George Caram Steeh. (MBea) (Entered: 04/17/2018)
07/30/2018	104	Mail Returned as Undeliverable. Mail sent to Darrell L. Marshall re 103 Order on Motion to Transfer Case - District Transfer (SSch) (Entered: 07/31/2018)

PACER Service Center

Transaction Receipt

03/19/2019 16:56:15			
PACER Login:	mcps3037:2884939:0	Client Code:	
Description:	Docket Report	Search Criteria:	2:00-cv-74576-GCS
Billable Pages:	5	Cost:	0.50

EXHIBIT 4

Order of Sixth Circuit Court Dated November 27, 2013

Case No. 13-1755

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

ORDER

DARRELL L. MARSHALL

Plaintiff

v.

CITY OF DETROIT; COUNTY OF WAYNE

Defendants - Appellees

Appellant having previously been advised that failure to satisfy certain specified obligations would result in dismissal of the case for want of prosecution and it appearing that the appellant has failed to satisfy the following obligation(s):

The proper fee was not paid by November 22, 2013.

It is therefore **ORDERED** that this cause be, and it hereby is, dismissed for want of prosecution.

**ENTERED PURSUANT TO RULE 45(a),
RULES OF THE SIXTH CIRCUIT**
Deborah S. Hunt, Clerk



Issued: November 27, 2013